

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

KEITH HAMMOND,	)	CV-20-66-BLG-SPW
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
WEATHORFORD U.S., L.P., and	)	
ANDREW E. NETZ,	)	
	)	
Defendants.	)	

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Before the Court is Defendants Weatherford U.S., L.P.’s (“Weatherford”) and Andrew Netz’s (collectively “Defendants”) Motion for Partial Summary Judgment, filed June 10, 2022. (Doc. 31). Plaintiff Keith Hammond responded to the motion on July 6, 2022. (Doc. 36).

Defendants assert Andrew Netz was an employee of Weatherford and, at all times relevant, acted within the course and scope of his employment. (Doc. 32 at 7). Under Mont. Code Ann. § 28-10-702, a corporate agent cannot be held personally liable for acts undertaken in the course of employment unless “the agent was personally negligent or . . . the agent’s actions were tortious in nature.” *Crystal Springs Trout Co. v. First State Bank of Froid*, 732 P.2d 819, 823 (Mont. 1987). Defendants claim there are no facts showing that Netz was personally negligent or that his actions were tortious in nature. Thus, Netz cannot be held personally liable

for Plaintiff's injuries and Netz should be dismissed from this case. (*Id.* at 7).

Plaintiff does not oppose the motion. (Doc. 36 at 3). Therefore,

**IT IS HEREBY ORDERED** that Defendants' Motion for Partial Summary Judgment (Doc. 31) is **GRANTED**.

The Clerk of Court is directed to enter judgment in favor of Defendant Andrew Netz and dismiss him from this case.

DATED this 6<sup>th</sup> day of July, 2022.

  
SUSAN P. WATTERS  
U.S. DISTRICT COURT JUDGE